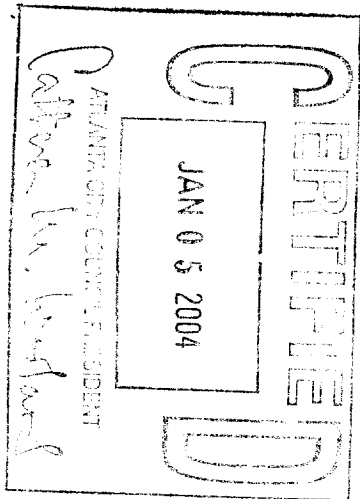


Entered 6-11-03 - sb  
CL 03L0443 GWENDOLYN BURNS



**CLAIM OF: JOSEPH B. CLANTON**  
1820 Cumberland Valley Place  
Atlanta, Georgia 30080

**03-12-2203**

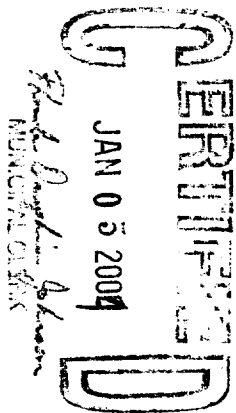
For vehicular damages alleged to have been sustained from driving over a construction site that was left in an unsafe manner on May 18, 2003 at 229 Walker Street, SW.

THIS ADVERSED REPORT IS  
APPROVED

BY:

A handwritten signature, likely of Jerry L. DeLoach, written over a horizontal line.

**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**



**ADVERSED**  
JAN 05 2004

## ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: \_\_\_\_\_

CHAIR: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

January 12, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Joseph B. Clanton  
1820 Cumberland Valley Pl.  
Atlanta, GA 30080

03-R-2203

Dear Mr. Clanton:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 05, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0443

Date: November 21, 2003

Claimant /Victim JOSEPH B. CLANTON  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 1820 Cumberland Valley Place, Smyrna, Georgia 30080  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 4,556.33 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 6/9/03 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 5/18/03 Place: 229 Walker Street, SW  
Department \_\_\_\_\_ Division \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that his vehicle sustained damage when he drove over a construction site that was improperly covered in the roadway. An investigation determined that an outside contractor was responsible for the road defect. The claimant has been so advised and his claim has been forwarded and resolved by the contractor.

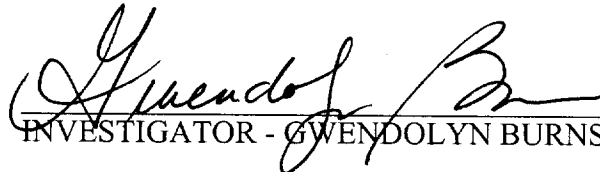
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

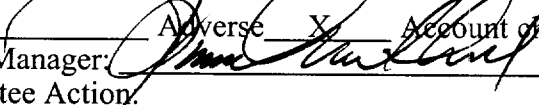
**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 11/25/03  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 5288  
1/05/04  
3:23 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 1-9 EXCEPT;02-O-2087,  
03-R-2173  
ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 6  
EXCUSED: 0  
ABSENT 0

Y Smith	NV Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

1-05-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-2225 2. 03-O-2161 3. 03-O-2221 4. 03-O-2175 5. 03-O-2229 6. 03-R-2171 7. 03-R-2214 8. 03-R-2215 9. 03-R-2233 10. 03-R-2219 11. 03-R-2172 12. 03-R-2174 13. 03-R-2176 14. 03-R-2246 15. 03-R-2247 16. 03-R-2248 17. 03-R-2226 18. 03-R-2232 19. 03-R-2237 20. 03-R-2178 21. 03-R-2181 22. 03-R-2182 23. 03-R-2183 24. 03-R-2184 25. 03-R-2185 26. 03-R-2186 27. 03-R-2187 28. 03-R-2188 29. 03-R-2189 30. 03-R-2190 31. 03-R-2191	32. 03-R-2192 33. 03-R-2193 34. 03-R-2194 35. 03-R-2195 36. 03-R-2196 37. 03-R-2197 38. 03-R-2198 39. 03-R-2199 40. 03-R-2200 41. 03-R-2201 42. 03-R-2202 43. 03-R-2203 44. 03-R-2204 45. 03-R-2205 46. 03-R-2206 47. 03-R-2207 48. 03-R-2208 49. 03-R-2209 50. 03-R-2210